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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
KENNETH O'NEIL,  
  
Defendant.

CASE NO. 2:21-CR-00115-KJM  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: November 15, 2021  
TIME: 9:00 a.m.  
COURT: Hon. Kimberly J. Mueller

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 15, 2021.
2. By this stipulation, defendant now moves to continue the status conference until December 13, 2021, and to exclude time between November 15, 2021, and December 13, 2021, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes multiple audio files, reports, photographs, and toll records. The defendant has requested new counsel, and discovery will be produced within two weeks of new counsel being appointed.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 10, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ CAMERON L. DESMOND  
CAMERON L. DESMOND  
Assistant United States Attorney

Dated: November 10, 2021

/s/ Candice Fields  
Candice Fields  
Counsel for Defendant  
KENNETH O'NEIL

#### FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED. The status conference set for November 15, 2021 is vacated and reset for December 13, 2021 at 9:00 a.m., the time between November 15, 2021, and December 13, 2021 is excluded under Local Code T4.

DATED: November 16, 2021.

  
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CHIEF UNITED STATES DISTRICT JUDGE